

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS LIABILITY
LITIGATION (NO. VI)

SUOJA et al v. INC. OWENS-ILLINOIS et al

Civil Action No. MDL 875

PA-ED No. 09-CV-60256
Trans from WI-E Case No. 97-2370

STATEMENT OF NON-OPPOSITION

Plaintiff does not oppose defendant's partial motion for summary judgment regarding conspiracy. However, the court should either defer or deny the punitive damages portion of the motion as moot, because the court's own orders establish punitive damages will not be considered for remand at this time. *See i.e., Anderson v. A.W. Chesterton*, E.D. PA Case No. 11-63482, Doc. No. 354 filed 5-15-2012 "Any demand for punitive damages is severed, and claims for punitive or exemplary damages are retained by the MDL-875 Court."

Dated: October 29, 2012

\s\ Robert G. McCoy
Attorney for plaintiff

Robert G. McCoy
Ron Archer
Cascino Vaughan Law Offices, Ltd.
220 South Ashland Ave.
Chicago, IL 60607
(312) 944-0600
(312) 944-1870 (fax)
bmccoy@cvlo.com